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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JANUARY 20, 1999

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUE950091

v.

PO RIVER WATER AND SEWER COMPANY

For a rate increase pursuant to
§56-265.13:1 et seq. of the Code
of Virginia

ORDER EXTENDING TIME TO COMPLETE REFUNDS

On November 25, 1998, Po River Water and Sewer Company ("Po River" or the "Company") filed a petition requesting the Commission to grant the Company a two year extension of time in which to complete the refund ordered by the Commission's Final Order dated March 20, 1998("Final Order").¹ In support of its petition, the Company noted a total refund liability of \$659,512 based on 4,007 customers, a remaining refund liability of \$348,895, and undercollection of revenues during the interim period.

Pursuant to a Commission Order dated December 7, 1998, the Commission's Staff and the Indian Acres Club of Thornburg,

¹ In its Final Order, the Commission directed Po River to complete customer refunds on or before December 31, 1998.

Inc.("IACT"), filed responses to the Company's petition. In its responses Staff and IACT stated that the Company had over estimated the refund liability directed in the Commission's Final Order and the maximum remaining refund liability. IACT also took issue with the Company's claims of under collection during the interim period.

In an order dated December 22, 1998, the Commission granted the Company's Motion for Permission to File a Reply to the Staff and IACT's Responses and suspended the date for the completion of refunds until such time as the Commission could rule upon Po River's motion. Pursuant to that Order, Po River filed a Reply on December 29, 1998.

On January 4, 1998, IACT filed a Motion for Leave to File Comments to the Reply of Po River and submitted such comments. In a January 11, 1998, filing, the Company requested permission to file a reply to IACT's comments and submitted that reply. In its reply IACT noted that the Company had a remaining refund liability of \$270,256 based on its current rate of \$22.96.

On January 14, 1999, Staff filed a Motion for Leave to Respond to Po River's Reply to IACT's Comments and submitted its response. In its response, Staff agreed with Po River's calculation of the remaining refund liability and stated that, with the revised calculation, the Company's refund should be accomplished in five additional billing cycles.

NOW THE COMMISSION, having considered the matter, is of the opinion, that the parties and Staff's motions requesting leave to file additional pleadings should be granted. Having considered all the pleadings, we are of the opinion that the Company should be granted additional time to complete its customer refunds and that such refunds can be completed by extending the refund period by five additional billing cycles. Accordingly,

IT IS ORDERED THAT:

(1) The date for completion of the refunds ordered in our March 20, 1998, Final Order be, and hereby is, extended from December 31, 1998, to April 30, 2000.

(2) That the date for filing with the Division of Energy Regulation the document showing that all refunds have been lawfully made as detailed in ordering paragraph (9) of the above referenced Final Order be, and hereby is, extended from February 1, 1999, to June 30, 2000.

(3) There being nothing further to be done in this matter, it be and hereby is dismissed.